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|--|---------------------------------|------------------------|------------------------|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | Docket No. 13095A |
| In Re Application Of: Robert Harris | | | |
| Serial No. 10/688,709 | Filing Date October 17, 2003 | Examiner Unassigned | Group Art Unit 1646 |
| Title: NEW USES FOR AMINO ACID ANTICONVULSANTS | | | |
| <div style="text-align: center;"> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 </div> <div style="text-align: center; margin-top: 10px;"> 37 CFR 1.97(b) </div> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <div style="text-align: center; margin-top: 20px;"> 37 CFR 1.97(c) </div> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <div style="margin-left: 40px; margin-top: 10px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e); </div> <div style="text-align: center; margin-top: 10px;"> OR </div> <div style="margin-left: 40px; margin-top: 10px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div> | | | |

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
13095A

In Re Application: **Robert Harris**

Serial No.
10/688,709

Filing Date
October 17, 2003

Examiner
Unassigned

Group Art Unit
1646

NEW USES FOR AMINO ACID ANTICONVULSANTS

Payment of Fee

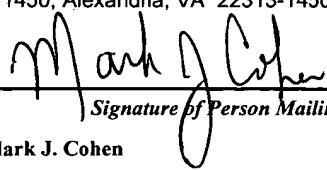
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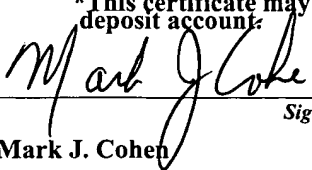
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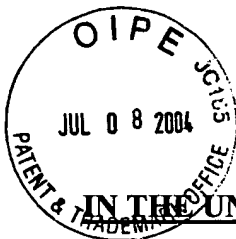
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Signature

Mark J. Cohen
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Dated: **July 6, 2004**

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Harris

Examiner: Unassigned

Serial No.: 10/688,709

Art Unit: 1646

Filed: October 17, 2003

Docket: 13095A

For: NEW USES FOR AMINO ACID
ANTICONSULSANTS

Dated: July 6, 2004

Confirmation No.: 2201

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. United States Patent No. 5,773,475, issued June 30, 1998;
2. United States Patent No. 5,654,301, issued August 5, 1997;
3. Parsons, et al., "Modulation of NMDA receptors by glycine – introduction to some basic aspects and recent developments", Amino Acids, 14: 207-216 (1998);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

Dated: July 6, 2004



Mark J. Cohen

4. Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine_B receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", Neuropharmacology, 38: 243-251 (1999); and
5. Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine_B receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", European Journal of Pharmacology, 322: 179-184 (1997).

The references were cited in a Search Report dated May 12, 2004 received from the European Patent Office. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patent references 1-2.

It is noted that the Search Report lists additional citations:

United States Patent No. 5,378,729, issued January 3, 1995;

International Publication No. WO 99/43309, published September 2, 1999;

Kohn, et al., "Synthesis and Anticonvulsant Activities of α -Heterocyclic α -Acetamido-N-benzylacetamide Derivatives", J. Med. Chem., 36: 3350-3360 (1993);

Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", Bioorganic & Medicinal Chemistry, 7: 2381-2389 (1999);

Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C ^{α} , α -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", Int. J. Peptide Protein Res., 44: 85-95 (1994);

Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical and pharmacological characterization", Antiviral Research, 25: 215-233 (1994);

These items were previously submitted in an Information Disclosure Statement dated October 17, 2003. It is deemed not necessary to make these of record again or resubmit copies of same to the United States Patent and Trademark Office.

Applicant is submitting copies of the above-cited references 1-5, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Mark J. Cohen

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MJC:lf

**LIST OF PRIOR ART
CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.
13095ASerial No.
10/688,709Applicant
Robert H. HarrisFiling Date
October 17, 2003Group Art Unit
1646**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL* | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE (if appropriate) |
|----------------------|----|--------------------|---------|--------------|-------|----------|---------------------------------|
| | AA | 5,773,475 | 6/30/98 | Kohn | | | |
| | AB | 5,654,301 | 8/5/97 | Kohn, et al. | | | |
| | AC | 5,378,729 | 1/3/95 | Kohn, et al. | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--|-----------------|----------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | | WO 99/43309 | 9/2/1999 | PCT | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|--|--|
| | | Kohn H. et al., "Synthesis and anticonvulsant activities of α -heterocyclic α -acetamido-N-benzylacetamide derivatives", <i>Journal of Medicinal Chemistry, United States 29 October 1993, vol. 36, no. 22, pp. 3350-3360</i> |
| | | Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", <i>Bioorganic & Medicinal Chemistry 7 (1999), pp. 2381-2389</i> |
| | | Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C. α,α -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", <i>Int. J. Pept. Protein Res. 44. 1994, 85-95, XP001074241, , Page 85, column 1, paragraph 2, Page 86, column 1; example XIV</i> |
| | | Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical. and pharmacological characterization", <i>Antiviral Research 25 (1994) pp. 215-233</i> |
| | | Parsons, et al., "Modulation of NMDA receptors by glycine - introduction to some basic aspects and recent developments", <i>Amino Acids</i> , 14: 207-216 (1998) |
| | | Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine _B receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", <i>Neuropharmacology</i> , 38: 243-251 (1999) |
| | | Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine _B receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", <i>European Journal of Pharmacology</i> , 322: 179-184 (1997) |

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.